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E

1951. K File No. Contagious Diseases II
51(R)

Legal Dept.
B. BRANCH

Subject:— Rules under the Bombay Animal Contagious Diseases (Control) Act 1948

File No. Contagious Diseases II/51 (R)

Gen. 194 e.

480—B

Legal Department

In place of the draft rules at pages 119 to 123 ante, revised draft rules are sent herewith.

Draft rule 5: It is new and has been revised from the drafting point of view.

Draft rule 8: This new draft rule has also been revised.

Draft rule 10: As slightly amended is in order.

Draft rule 11: The proviso to section 10(1) specifies the cases in which no compensation shall be paid. It cannot be laid down by a rule that in cases not falling under the proviso, no compensation should be paid. The provision in the draft rule that no compensation shall be paid in respect of animals distroyed on account of their suffering from Rabies or advanced tuberculosis has been omitted.

Draft rule 12 (new): It is in order.

Draft rule 13 (new): It has been revised. The last sentence which is redundant in view of the next rule is omitted.

Draft rule 15 (new): As amended is in order.

Draft rule 18 (new): It has been revised. It is not necessary, nor desirable to put any restriction on the power of entry by providing that it shall be exercised when there is evidence or reason to believe that the animal suspected to be affected with a scheduled disease is kept wilfully or out of ignorance of the nature of the disease. In practice such restriction might lead to difficulties. It has therefore been omitted from the revised rule.

4 c.
V.R.K.
6/7/56

(Contd)

2 Draft notification No. I at page 125 ante
No change is proposed in this notification

3. Draft notification No. ~~IV~~ at page 127 ante:

As slightly amended is in order.

4. Draft notification No. III at page 129:

As slightly amended is in order.

O/C. Sd/-
13/4

Secretary to Government.

U.R. to A. & F.D. No. 6072, dated the 14th April 1951.

4 c.
V.R.K.
6/7/56

Office of the R.L.A.

The proposal to issue a notification under sub-section (2) of section 2 of the Bombay Animal Contagious Diseases (Control) Act, 1948, without specifying therein the particulars which are required to be stated in such a notification, namely, the provisions of the Act which are to come into force, the area in which they are to come into force, the scheduled diseases in respect of which and the date on which they are to come into force, is absurd. Such a notification will be of no effect. A notification under sub-section (2) of section 2 of the Act specifying the particulars mentioned therein should be issed as and when the State Government considers the issue of such a notification necessary.

O/C. Sd/-
14/7

Remembrancer of Legal Affairs.

U.R. to A. & F.D. No. 11254, dated the 16th July 1951

4 c.
V.R.K.
6/7/56